

interstate commerce, the defendant caused various quantities of the drugs to be dispensed without prescriptions from a practitioner licensed by law to administer such drugs. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

**DISPOSITION:** November 20, 1953. The defendant having entered a plea of *nolo contendere*, the court fined him \$250 on count 1, suspended the imposition of sentence on the remaining 4 counts of the information, and placed him on probation for 3 years.

**4246. Misbranding of sulfathiazole tablets. U. S. v. Meyer Goldberg. Plea of guilty. Fine, \$600. (F. D. C. No. 35116. Sample Nos. 41532-L, 41542-L, 66951-L.**

**INFORMATION FILED:** July 21, 1953, Eastern District of Pennsylvania, against Meyer Goldberg, Philadelphia, Pa.

**NATURE OF CHARGE:** On or about January 22, 26, and 29, 1953, while a number of *sulfathiazole tablets* were being held for sale after shipment in interstate commerce, the defendant caused a number of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drug. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed tablets being misbranded while held for sale.

**DISPOSITION:** December 10, 1953. The defendant having entered a plea of guilty, the court fined him \$600.

#### **DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS**

**4247. Misbranding of methamphetamine hydrochloride tablets and dextro-amphetamine sulfate tablets. U. S. v. Fred Meyer, Inc. Plea of *nolo contendere*. Fine, \$500. (F. D. C. No. 33753. Sample Nos. 28973-L, 29179-L to 29186-L, incl., 29188-L, 29189-L, 29892-L, 30435-L.)**

**INFORMATION FILED:** September 14, 1953, District of Oregon, against Fred Meyer, Inc., Portland, Oreg.

**ALLEGED VIOLATION:** On or about October 17, 18, 19, and 30, and November 7, 1951, while a number of *methamphetamine hydrochloride tablets* and *dextro-amphetamine sulfate tablets* were being held for sale at Fred Meyer, Inc., after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the drugs being misbranded.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), portions of the repackaged *methamphetamine hydrochloride tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (b) (2), portions of the repackaged *methamphetamine hydrochloride tablets* and all of the repackaged *dextro-amphetamine sulfate tablets* failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), the labels of the repackaged *dextro-amphetamine sulfate tablets* and of portions of the repackaged *methamphetamine hydrochloride tablets* failed to bear the common or usual name of each active ingredient of such drugs; and, Section 502 (f) (2), the labeling of the re-